Attachment D

Am nd d claims 12, 13, 14 and 18 - Mark d-up V rsion

ATTACHMENT D – Amended Claims 12, 13, 14 and 18, Marked-up Version.

12. (Amended) An asset class benchmarking process comprising implementing the following steps on a digital computer:

(a) selecting portfolio data from publicized source information;

(b) selecting asset class data from publicized source information;

(c) selecting portfolio tracking data from publicized source information; and

(d) summing said portfolio data, said asset class data and said portfolio tracking data to produce benchmark data;

(e) said portfolio data comprising data level fields and security level fields, said data level fields including a portfolio field and a date field, said security level field including a CUSIP field and a par amount field;

(t) said asset class data being matched with said portfolio data;

(g) said portfolio tracking data including management expenses and distribution charges;

(h) said computer producing a report of said expenses and charges.

13. (Amended) An asset class benchmarking process comprising implementing the following steps on a digital computer: (a) selecting portfolio data from publicized source information; (b) selecting asset class data from publicized source information; (c) selecting portfolio tracking data from publicized source information; (d) summing said portfolio data, said asset class data and said portfolio tracking data to produce benchmark data; (e) said portfolio data comprising data level fields and security level fields, said data level fields including a portfolio field and a date field, (f) said security level field including a CUSIP field and a par amount field; (g) said asset class data being matched with said portfolio data; (h) said portfolio tracking data including management expenses and

distribution charges; and (i) weighting said benchmark data to cause said computer to produce a report setting forth the resulting benchmark data.

14. (Amended) The asset class benchmarking process of claim 13, wherein said weighting of said benchmark data is effected by [a] said computer [that] which performs a sequence of steps[, which] that comprise:

(Step I) for each of the securities in said portfolio data, combining the CUSIP and par amount data with pricing data;

(Step II) for each of the securities in said benchmark data, calculating the estimated total market value for said securities pursuant to the following:

$$PMV = \sum_{i=1}^{N} Par_i * Price_i$$

, where N = the number of securities in that portfolio/fund, and PMV = the portfolio/fund market value;

(Step III) summing up all the PMVs pursuant to the following,

$$TBMV = \sum_{j=1}^{J} PMV^j$$

, where J = the number of portfolios/funds in the benchmark, and TBMV = total benchmark market value;

(Step IV) creating a scaling factor in order to equally weight the equities by taking the reciprocal of the weight of each equity pursuant to the following,

$$SF^J = 1/(PMV^J/TBMV)$$

, where

SF^J

= the scaling factor for the jth portfolio/fund;

(Step V) adjusting the scaling factor so that the sum of the scaling factors equal unity pursuant to the following,

$$ASF^j = SF^j / \sum_{j=1}^{J} SF^j$$

, where

ASF^j
= the adjusted scaling factor for the jth portfolio/fund as follows,

$$\sum_{j=1}^{J} ASF^j = 1$$

(Step VI) adjusting the securities in the benchmark so that preselected groups of said securities receive equal weights by multiplying each security in each of said preselected groups by its appropriate adjusted scaling factor as follows,

$$AMV_i^j = MV_i^j * ASF^j$$

, where

AMV_i^j
= the adjusted market value of security i in portfolio/fund j, and

(Step VII) based on said **Step VI** directly hereinabove, creating an adjusted weight for each security in each portfolio/fund in the benchmark:

$$x_i^j = AMV_i^j / (\sum^{J} \sum_{i=1}^{N} AMV_i^j * J)$$

, where

x_i^j
= the weight of the ith security in the jth portfolio/fund, and

$$\sum^{J} \sum_{i=1}^{N} x_i^j = 1/J$$

(by construction).

18. (Amended) An asset class benchmarking process comprising implementing the following steps on a digital computer: (a) selecting portfolio data from first publicized source information; (b) selecting asset class data from second publicized source information; (c) selecting portfolio tracking data from third publicized source information; (d) means for summing said portfolio data, said asset class data and said portfolio tracking data to produce benchmark data; (e) said portfolio data comprising data level fields and security level fields, said data level fields including a portfolio field and a date field, said security level field including a CUSIP field and a par amount field; (t) said asset class data being matched with said portfolio data; (g) said portfolio tracking data including management expenses and distribution charges; (h) weighting said benchmark data, and (i) periodically rebalancing said benchmark data by repeating the application of (a) through (h) above, (j) said portfolio data being derived from publicized filings at the Securities and Exchange Commission ("SEC") or the equivalent filings in countries other than the United States, or publicized actual periodic official reports involving said portfolio data, or publicized lists of the contents of said portfolio data by the entities involved therewith, (h) said asset class data being derived from descriptions of said portfolio data or sector codes related thereto, and (i) said portfolio tracking data being derived from publicized financial performance and expense data related to said portfolio data, to cause said computer to produce a report setting forth resulting benchmark data.